

LOWENSTEIN SANDLER LLP

Michael S. Etkin, Esq.
Wojciech F. Jung, Esq.
Michael Savetsky, Esq.
One Lowenstein Drive
Roseland, New Jersey 07068
(973) 597-2500 (Telephone)
(973) 597-2400 (Facsimile)

Counsel to the Liquidating Debtors

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

In re:

Tri Harbor Holdings Corporation (f/k/a
Aceto Corporation), *et al.*,¹

Liquidating Debtors.

Chapter 11

Case No. 19-13448 (VFP)

(Jointly Administered)

Hearing Date: January 28, 2020 at 10:00 a.m. (ET)

Objection Deadline: January 21, 2020 at 4:00 p.m. (ET)

**NOTICE OF LIQUIDATING DEBTORS' MOTION FOR ENTRY OF AN
ORDER APPROVING SETTLEMENT AGREEMENT BETWEEN KAVOD
PHARMACEUTICALS LLC AND LONZA SALES AG PURSUANT TO RULE
9019 OF THE FEDERAL RULES OF BANKRUPTCY PROCEDURE**

PLEASE TAKE NOTICE that on **January 28, 2020 at 10:00 a.m. (ET)**, or as soon thereafter as counsel may be heard, the above-captioned liquidating debtors (collectively, the “Liquidating Debtors”), by and through their undersigned counsel, shall move (the “Motion”)² before the Honorable Vincent F. Papalia, United States Bankruptcy Judge, in courtroom #3B of the United States Bankruptcy Court for the District of New Jersey, Martin Luther King Jr. Federal

¹ The Liquidating Debtors in these chapter 11 cases and the last four digits of each Debtor’s taxpayer identification number are as follows: Tri Harbor Holdings Corporation (f/k/a Aceto Corporation) (0520); Tri Harbor Chemical Holdings LLC (f/k/a Aceto Agricultural Chemicals LLC, f/k/a Aceto Agricultural Chemicals Corporation) (3948); Tri Harbor Realty LLC (f/k/a Aceto Realty LLC) (7634); Kavod Pharmaceuticals LLC (f/k/a Rising Pharmaceuticals, LLC, f/k/a Rising Pharmaceuticals, Inc.) (7959); Kavod Health LLC (f/k/a Rising Health, LLC) (1562); Kavris Health LLC (f/k/a Acetris Health, LLC) (3236); KAVACK Pharmaceuticals LLC (f/k/a PACK Pharmaceuticals, LLC) (2525); Arsynco, Inc. (7392); and Acci Realty Corp. (4433).

² Capitalized terms used but not otherwise defined herein shall have the meanings ascribed to them in the Motion.

Building, 50 Walnut Street, Third Floor, Newark, New Jersey 07102, for entry of an order, substantially in the form submitted herewith, approving that certain *Settlement Agreement* by and among Kavod Pharmaceuticals LLC (f/k/a Rising Pharmaceuticals, LLC, f/k/a Rising Pharmaceuticals, Inc.) and Lonza Sales AG, a copy of which is attached to the Motion as Exhibit A.

PLEASE TAKE FURTHER NOTICE that the Liquidating Debtors shall rely upon the arguments set forth in the Motion in support of the relief requested therein. No brief is necessary as no novel issues of fact or law are presented by the Motion. A proposed form of order is also submitted herewith.

PLEASE TAKE FURTHER NOTICE that any objections to the Motion must be filed with the Clerk of the Bankruptcy Court together with proof of service thereof, and served so as to be actually received by no later than **January 21, 2020 at 4:00 p.m. (ET)**, by counsel to the Liquidating Debtors, Lowenstein Sandler LLP, One Lowenstein Drive, Roseland, New Jersey 07068, Attn.: Wojciech F. Jung, Esq. and Michael Savetsky, Esq.

PLEASE TAKE FURTHER NOTICE that objections to the Motion, if any, must: (a) be in writing; (b) comply with the Bankruptcy Rules, the Local Rules of the United States Bankruptcy Court for the District of New Jersey, and other case management rules or orders of the Bankruptcy Court; and (c) state with particularity the legal and factual basis for the objection.

PLEASE TAKE FURTHER NOTICE that unless an objection to the Motion is timely filed and served in accordance with this notice, it may not be considered by the Bankruptcy Court. In the event no objections are filed, the relief requested in the Motion may be granted without a hearing. Oral argument is requested only in the event an objection is filed.

Dated: January 7, 2020

Respectfully submitted,

LOWENSTEIN SANDLER LLP

/s/ Wojciech F. Jung

Michael S. Etkin, Esq.

Wojciech F. Jung, Esq.

Michael Savetsky, Esq.

One Lowenstein Drive

Roseland, New Jersey 07068

(973) 597-2500 (Telephone)

(973) 597-2400 (Facsimile)

metkin@lowenstein.com

wjung@lowenstein.com

msavetsky@lowenstein.com

Counsel to the Liquidating Debtors